



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicant : Dana Corbo
Serial No. : 09/899,711
Filing Date : July 5, 2001
For : A METHOD AND SYSTEM FOR PROVIDING REAL TIME
SPORTS BETTING INFORMATION
Group Art Unit: 3713
Examiner: Corbett B. Coburn
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Assistant Commissioner for Patents
Washington, D.C. 20231

Honorable Sir:

DECLARATION

Under Rule 132

Dana Corbo declares:

1. I am the inventor of the invention of the above patent application.
2. I invented the present invention and invented the prior art system as well.
3. I think it would be fair to qualify me as a person of ordinary skill in the art because of these inventions. As such a person, I submit that the present invention would not be obvious over the prior art system.
4. The prior art system was invented and directed to customers who wanted to maintain their use of the system in confidence, and leave no evidence of their use on their computers; no evidence that the customer had accessed our system. The prior art system was developed with JAVA intentionally, since JAVA does not readily save date on the customer's computer.

5. With the prior art system, after the customer accessed the information on our website there would be no indication on his computer that he had accessed our website. Even though we only deal with customers who can legally have the betting information we provide, they do not want any computer file indication that they had accessed our website.

6. I knew that downloading the information from our website would not be of any interest to those customers for the reasons stated above. That was reinforced because the JAVA program would not permit that information to be downloaded and saved on a user's computer. If he or she attempted to download the information, it would have taken hours, and probably would have crashed the user's computer. Inasmuch as the user didn't want the information it would be contrary to the prior art system to provide that information.

7. To put it in the context, the bet tracker, the line seeker alert, the major line move alert, and customizable display of the current application are connected through the internet, independent of a web browser. Not only would there have been no interest to the prior art system, but it would be against the purpose of the system. The prior art system teaches away from adding those features because the features require automatic downloading of the information into the customer's computer, thereby breaching the security and confidentiality that those customers wanted.

8. The present invention was invented for an entirely different purpose and for an entirely different customer. It was invented for customers who want to download information and who want to have bet tracker, major line move alert, line seeker alert information and a customizable display available on their own computers. It is directed to customers who did not need to go to our website each time they wanted a firm real time connection, so they could obtain line alerts, and have bets tracked automatically.

9. These customers wanted these features in a way which could only be obtained if the information was provided from our website directly to the customer's computer. These customers wanted to be automatically made aware when there was a substantial move in a betting line or wanted to be able to automatically seek a betting line. It was also directed to those customers who wanted to track a bet automatically so that they could see the odds offered by different sports books, thereby obtaining the best odds. These are features only available directly from our website, and which when downloaded appear on the customer's computer. This is the exact the opposite of the prior art system.

10. When I invented the present system, I chose C++ because it had the ability to download this information quickly onto the customers computer (usually in 1 to 2 minutes).

11. In the prior art system, there was a compelling need to avoid any information going on to the customer's computer (just the opposite of the present invention).

12. The result of the present invention has been significant commercial success. Our sales are in seven figures for this invention. The features: the bet tracker, major line move alert, line seeker alert, and customizable display, which are different from the prior art, are the major reasons for our current success. To permit a user to customize the program, so that an alert will be given when a predetermined occurrence takes place in connection with the odds offered by one sports book, or a predetermined number of sports books, enables the user to acquire the information automatically. That is the reason for such success. I know that because numerous customers have told me that this is the reason they use our current system.

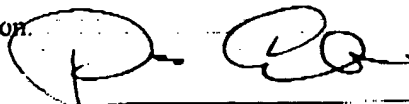
13. When I invented the present system, I was directing the system at an entirely different market from the present system. A market which the original system not only did not address, in fact sought to avoid.



14. It would not be reasonable to state that the features of the present invention could be added to the prior art system, since even if they could be added, which is doubtful, it would operate against the purpose for which the prior art system was invented and used.

15. In view of the above, I believe the present invention is not obvious in view of the prior art system.

16. The undersigned declares further that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Dana Corbo

Date: December 26, 2002

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